

**UNITED STATES DISTRICT COURT**  
WESTERN DISTRICT OF WASHINGTON  
UNITED STATES COURTHOUSE  
700 STEWART STREET  
SEATTLE, WASHINGTON 98101

**ROBERT S. LASNIK**  
DISTRICT JUDGE

(206) 370-8810

January 17, 2018

Ana-Maria Popp  
Cairncross & Hempelmann, P.S.  
524 Second Avenue, Suite 500  
Seattle, WA 98104-2323

William C. Rava  
Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099

**Delivered Via CM/ECF**

RE: Linehan v. Pederson, et al., C17-1494RSL  
Stipulated Protective Order

Dear Counsel:

On January 16, 2018, the Court received your proposed “Stipulated Protective Order.”  
Dkt. # 23.

Pursuant to Fed. R. Civ. P. 26(c), protective orders may be entered to protect parties from annoyance, embarrassment, or undue burden or to protect confidential commercial information. Such protective orders may issue upon a showing of good cause.


Although parties may agree on confidentiality among themselves, when they request that the Court be involved, the proposed order must be narrowly drawn, identifying both the type of information that is to be protected and, if not obvious, the reason such protection is warranted. The order must also comply with the applicable federal and local procedural rules.

The agreed protective order submitted in this case is deficient because it is too broad and gives too much discretion to the parties to designate information as “confidential.” The order mentions a broad array of documents, only some of which raise a presumption of confidentiality. In addition, the categories listed in paragraph 2 of the proposed order are simply examples and do not limit the scope of the order. Rather, the parties essentially

seek protection for anything they choose to identify as “confidential.” Any protective order entered by the Court must clearly identify the class or type of documents subject to the order and the need for confidentiality

The agreed protective order received by the Court will remain lodged in the file, but will not be entered. The parties may resubmit a proposed order if they remedy the deficiencies identified in this letter.

Sincerely,

A handwritten signature in black ink, reading "Mr S Lasnik", written over a horizontal line.

Robert S. Lasnik  
United States District Judge